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PATENT

Serial No: 10/606,996
Attorney Docket No: 10517/172



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Noritake Mitsutani, *et al.*
Application No.: 10/606,996
Filed: June 27, 2003
For: CONTROL SYSTEM AND METHOD
FOR MOTOR VEHICLES
Group Art Unit: 3747
Examiner: Dirk Wright

12/10/2004 SDIRETA1 00000064 110600 10606996

01 FC:1806 180.00 DA

INFORMATION DISCLOSURE STATEMENT

Mail Stop - Issue Fee

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Pursuant to 37 CFR § 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449. Unless otherwise indicated herein, one copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom. The filing of this Information Disclosure Statement and the enclosed PTO Form No. 1449, shall not be construed as an admission that the information cited is prior art, or is considered to be material to patentability as defined in 37 C.F.R. § 1.56(b). The paragraphs marked below are applicable. It is believed that no fees other than those indicated below are due, but authorization is hereby given to charge any additional fees due, or to credit any overpayment, to deposit account 11-0600.

- ☐ 1. This Information Disclosure Statement is being filed (a) within three months of the filing date of a national application other than a continued prosecution application under 37 C.F.R. § 1.53(d), (b) within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, (c) before the mailing date of a first Office Action on the merits in the present application, OR (d) before the mailing of a first

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office action after filing of a request for continued examination. No certification or fee is required.

☐ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a final action, Notice of Allowance, or any action that otherwise closes prosecution.

☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).

☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).

☐ c. Please debit Deposit Account No. 11-0600 in the amount of \$180.00 in payment of the fee under 37 CFR §1.17(p) to ensure consideration of the disclosed information. Two duplicate copies of this paper are attached. 37 CFR §1.97(c)(2).

☒ 3. This Information Disclosure Statement is being filed after the mailing date of a final action, Notice of Allowance or an action that otherwise closes prosecution, but before payment of the Issue Fee. Applicant(s) hereby request(s) that the Information Disclosure Statement be considered. Please debit Deposit Account No. 11-0600 in the amount of \$180.00 in payment of the petition fee under 37 CFR §1.17(p) to ensure consideration of the disclosed information. Two duplicate copies of this paper are attached.

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☐ 4. Relevance of the non-English language reference(s) is discussed in the present specification.

☒ 5. The reference(s) was/were cited in a counterpart foreign application. An English language version of the foreign search report is attached for the Examiner's information.

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- ☐ 6. A concise explanation of the relevance of the non-English language reference(s) appears in the Appendix attached hereto.
- ☐ 7. The Examiner's attention is directed to co-pending U.S. Patent Application No. _____, filed, which is directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination of the present application.
- ☐ 8. This application is one of a series of related applications, identified in the attached Appendix, which are directed to related technical subject matter. The identification of those U.S. Patent Applications is not to be construed as a waiver of secrecy as to those applications now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited applications and the art cited therein during the examination.
- ☐ 9. The reference(s) was/were cited by or submitted to the Office in parent application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. §120. Thus, copies of these references are not attached. 37 CFR §1.98(d).
- ☐ 10. English-language Abstracts of the non-English language references are attached hereto.
- ☐ 11. Since this application was filed after June 30, 2003, copies of U.S. references are not included.
- ☐ 12. Other.

Respectfully submitted,

KENYON & KENYON



David J. Zibelli
Registration No. 36,394

Dated: December 9, 2004

KENYON & KENYON
1500 K Street, N.W. - Suite 700
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Tel: (202) 220-4200
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Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/606,996
				Filing Date	June 27, 2003
				First Named Inventor	Noritake Mitsutani, <i>et al.</i>
				Group Art Unit	3747
				Examiner Name	Dirk Wright
				Attorney Docket Number	10517-172
Sheet	1	of	2		

[illegible][illegible]

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 20231.

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Serial No: 10/606,996
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Noritake Mitsutani, *et al.*
Application No.: 10/606,996
Filed: June 27, 2003
For: CONTROL SYSTEM AND METHOD
FOR MOTOR VEHICLES
Group Art Unit: 3747
Examiner: Dirk Wright

REQUEST FOR CONSIDERATION OF PREVIOUSLY DISCLOSED
INFORMATION DISCLOSURE STATEMENT

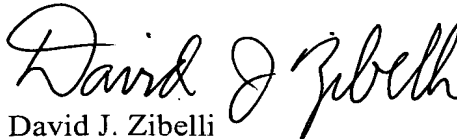
Mail Stop - Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

On July 20, 2004, an Information Disclosure Statement was filed. Applicants did not receive an initialed copy of the 1449 with the Notice of Allowance. Attached are copies of the Information Disclosure Statement filed on July 20, 2004, along with the stamped postcard and 1449. The Examiner is requested to initial the attached 1449 and forward a copy to Applicants' representative.

Respectfully submitted,

KENYON & KENYON



David J. Zibelli
Registration No. 36,394

Dated: December 9, 2004

KENYON & KENYON
1500 K Street, N.W. - Suite 700
Washington, D.C. 20005 - 1257
Tel: (202) 220-4200
Fax: (202) 220-4201

The stamp of the Patent Office may be taken as acknowledging the receipt, on the date stamped, of

INVENTOR(S): Noritake Mitsutani, *et al.*
SERIAL NO.: 10/606,996
TITLE: CONTROL SYSTEM AND METHOD FOR MOTOR VEHICLES

GROUP: 3747

EXAMINER: Unassigned

PAPERS FILED:

1. Information Disclosure Statement
2. 1449 + 1 reference + EPO Communication dated June 11, 2004



David J. Zibelli/kw

10517/172

July 20, 2004

PATENT

Serial No: 10/606,996
Attorney Docket No: 10517/172

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Noritake Mitsutani, *et al.*
Application No: 10/606,996
Filed: June 27, 2003
Group Art Unit: 3747
Examiner: Unassigned
For: CONTROL SYSTEM AND METHOD FOR MOTOR VEHICLES

INFORMATION DISCLOSURE STATEMENT

Mail Stop - Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

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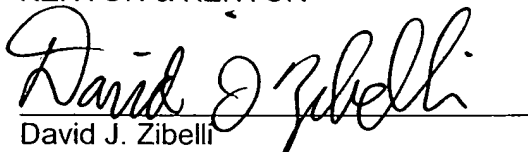
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- ☐ 11. Since this application was filed after June 30, 2003, copies of U.S. references are not included.
- ☐ 12. Other. Comments on Relevance in the List of Prior Art for IDS.

Respectfully submitted,

KENYON & KENYON


David J. Zibelli
Registration No. 36,394

Date: July 20, 2004

Kenyon & Kenyon
1500 K Street, N.W. - Suite 700
Washington, D.C. 20005-1257
Tel: (202) 220-4200
Fax: (202) 220-4201

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	10/606,996
Filing Date	June 27, 2003
First Named Inventor	Noritake Mitsutani, <i>et al.</i>
Group Art Unit	3747
Examiner Name	To be Assigned
Attorney Docket Number	10517/172

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.

FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
		DE 44 12 438 C1	4-12-1994	Pflug, <i>et al.</i>		

Examiner
Signature

Date
Considered

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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